

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jun 13, 2024**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

BAYLEIGH ARLENE GARRETT,

Defendant.

No. 2:23-CR-00106-SAB-1

**PROTECTIVE ORDER**

Before the Court is the United States' Unopposed Motion for Protective Order Regulating Disclosure of Discovery and Sensitive Information, ECF No. 21. The United States is represented by Frieda K. Zimmerman. Defendant is represented by Nicolas V. Vieth.

The Court finds good cause to grant the United States' motion regulating disclosure of the discovery materials and the confidential medical information contained therein (the "Discovery") to defense counsel connecting with the Government's discovery obligations.

Accordingly, **IT IS HEREBY ORDERED:**

1. The United States' Unopposed Motion for Protective Order Regulating Disclosure of Discovery and Sensitive Information, ECF No. 21, is **GRANTED**.

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**PROTECTIVE ORDER # 1**

1           2.     The United States is authorized to disclose the discovery including  
2 sensitive information and materials (hereinafter “Discovery”) in its possession  
3 pursuant to the discovery obligations imposed by this Court.

4           3.     Government personnel and counsel for Bayleigh Arlene Garrett  
5 (“Defendant”), shall not provide, or make available, the sensitive information in  
6 the Discovery to any person except as specified in this Order or by approval from  
7 this Court. Counsel for Defendant and the United States shall restrict access to the  
8 Discovery, and shall only disclose the sensitive information in the Discovery to  
9 their client, office staff, investigators, independent paralegals, necessary third-party  
10 vendors, consultants, and/or anticipated fact or expert witnesses to the extent that  
11 defense counsel believes it necessary to assist in the defense of their client in this  
12 matter or that the United States believes is necessary in the investigation and  
13 prosecution of this matter. No copies of Discovery shall be left with their client.

14          4.     Third parties contracted by the United States or counsel for Defendant  
15 to provide expert analysis or testimony may possess and inspect the sensitive  
16 information in the Discovery, but only as necessary to perform their case-related  
17 duties or responsibilities in this matter. At all times, third parties shall be subject to  
18 the terms of the Order.

19          5.     Discovery in this matter will be available to defense counsel via  
20 access to a case file on USA File Exchange. Counsel for Defense may download  
21 Discovery from USA File Exchange and shall exercise reasonable care in ensuring  
22 the security and confidentiality of the Discovery by electronically storing the  
23 Discovery on a password-protected or encrypted storage medium, including a  
24 password-protected computer, or device. If Discovery is printed, Counsel must also  
25 exercise reasonable care in ensuring the security and confidentiality of the  
26 Discovery by storing copies in a secure place, such as a locked office, or otherwise  
27 secure facility where visitors are not left unescorted.

1           6.     All counsel of record in this matter, including counsel for the United  
2 States, shall ensure that any party, including Defendant, that obtains access to the  
3 Discovery is advised of this Order and that all information must be held in strict  
4 confidence and that the recipient may not further disclose or disseminate the  
5 information. Any other party that obtains access to, or possession of, the Discovery  
6 containing discovery information once the other party no longer requires access to  
7 or possession of such Discovery shall promptly destroy or return the Discovery  
8 once access to Discovery is no longer necessary. No other party that obtains access  
9 to or possession of the Discovery containing sensitive information shall retain such  
10 access to or possession of the Discovery containing sensitive information unless  
11 authorized by this Order, nor further disseminate such Discovery except as  
12 authorized by this Order or the further Order of this court. For purposes of this  
13 Order, “other party” is any person other than appointed counsel for the United  
14 States or counsel for Defendant.

15           7.     All counsel of record, including counsel for the United States, shall  
16 keep a list of the identity of each person to whom the Discovery containing  
17 sensitive information is disclosed. Neither counsel for Defendant nor counsel for  
18 the United States shall be required to disclose this list of persons unless ordered to  
19 do so by the Court.

20           8.     Upon entry of a final order of the Court in this matter and conclusion  
21 of any direct appeals, government personnel and counsel for Defendant shall  
22 retrieve and destroy all copies of the Discovery containing sensitive information,  
23 except that counsel and government personnel may maintain copies in their closed  
24 files following their customary procedures.

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1           9. Government personnel and counsel for Defendant shall promptly  
2 report to the Court any known violations of this Order.

3           **IT IS SO ORDERED.** The District Court Clerk is hereby directed to file  
4 this Order and provide copies to counsel.

5           **DATED** this 13th day of June 2024.



10           *Stanley A. Bastian*

11           Stanley A. Bastian  
12           Chief United States District Judge  
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